

Filed 4/11/19 by Clerk of Supreme Court

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2019 ND 91

State of North Dakota,

Plaintiff and Appellee

v.

Lucas Michael Johnson,

Defendant and Appellant

No. 20180349

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable James S. Hill, Judge.

AFFIRMED.

Per Curiam.

Justin J. Schwarz, Assistant City Attorney, Bismarck, ND, for plaintiff and appellee.

Yancy B. Cottrill, Bismarck, ND, for defendant and appellant.

State v. Johnson

No. 20180349

Per Curiam.

[¶1] Lucas Michael Johnson appeals from a criminal judgment entered after he conditionally pleaded guilty to unlawful possession of a controlled substance and unlawful possession of drug paraphernalia. Johnson argues the district court erred by denying his motion to suppress evidence obtained during a search unsupported by reasonable and articulable suspicion. We conclude there is sufficient competent evidence supporting the district court's finding of a traffic violation constituting reasonable and articulable suspicion for the stop. We summarily affirm the criminal judgment under N.D.R.App.P. 35.1(a)(2) and (7). *See State v. Asbach*, 2015 ND 280, ¶¶ 11-14, 871 N.W.2d 820.

[¶2] Gerald W. VandeWalle, C.J.
Lisa Fair McEvers
Daniel J. Crothers
Jerod E. Tufte
Jon J. Jensen